

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF

Art Unit: 1618

Pruschy, Martin

Examiner: Gembeh, Shirley V

INTERNATIONAL APPLICATION NO: PCT/EP2004/002610

FILED: March 12, 2004

U.S. APPLICATION NO: 10/549978

35 USC §371 DATE: November 15, 2006

FOR: Treatment of Proliferative Diseases with Epothilone Derivatives and Radiation

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL

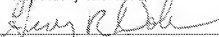
Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Office Action dated June 16, 2009 finally rejecting claims 1-5 and 10.

- ☒ Please charge Deposit Account No. 19-0134 in the name of Novartis in the amount of \$540 for payment of the appeal fee. An additional copy of this paper is here enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 19-0134 in the name of Novartis.
- ☐ The appeal fee was paid in a previous appeal herein. The examiner re-opened prosecution prior to any decision by the Board of Patent Appeals and Interferences. No fee is now due.
- ☐ Enclosed is a Petition for Extension of Time.

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Respectfully submitted,


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Date: September 16, 2009